

**TETON COUNTY FEE WAIVER POLICY**

**WHEREAS**, the Board of County Commissioners of Teton County, Wyoming, (the "Board") has the authority pursuant to Wyoming Statutes §§18-2-101, 18-5-201, *et. seq.*, 35-9-120, and 35-9-121 to assess fees related to Teton County Planning and Development, Teton County Engineering, and Jackson Hole Fire/EMS ; and

**WHEREAS**, on February 17, 2009, the Board of County Commissioners approved a Fee Waiver Policy regarding requests for full or partial waivers of application and/or permit fees; and

**WHEREAS**, at a properly noticed public hearing of the Board of County Commissioners on December 2, 2014, the Board considered and approved a Fee Schedule for services and permits as required by Teton County for Planning Permit Fees, Building Permit Fees, Plumbing Permit Fees, Mechanical Code and Fuel Gas Code Permit Fees, Energy Mitigation Program Fees, Electrical Permit Fees, Engineering Permit Fees, Floodplain Development Fees, Bridge Permit Fees, and Administrative Fees and Services; and

**WHEREAS**, the Fee Schedule is intended to set forth the appropriate and necessary costs for applications, fees for services, and/or permits provided or issued by Teton County Planning and Development, Teton County Engineering, and Jackson Hole Fire/EMS; and

**WHEREAS**, the Board has the discretion to and may desire to waive these required fees by Teton County Planning and Development, Teton County Engineering, and Jackson Hole Fire/EMS, for applications, services, and/or permits as set forth in the Fee Schedule; and

**WHEREAS**, the Board has established and set forth criteria which establishes when and under what circumstances the Board may consider and approve requests for full or partial waivers of fees for applications, services, and/or permits as set forth in the Fee Schedule; and

**WHEREAS**, on December 16, 2014, the Board of County Commissioners having duly met at a properly noticed public hearing fully considered the matter of a Fee Waiver Policy, under its authority as set forth in the above Wyoming Statutes to promote the health, safety, and general welfare of Teton County.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY, WYOMING, THAT:**

1. The Board of County Commissioners of Teton County, Wyoming, hereby approves and adopts this Fee Waiver Policy, on December 16, 2014, which shall be effective on January 1, 2015, for Teton County Planning and Development, Teton County Engineering, and Jackson Hole Fire/EMS.
2. The Board of County Commissioners of Teton County, Wyoming, may consider and approve a request for a full or partial waiver of fees, when one of the following criteria is demonstrated and met:
  - a. An application that demonstrates a bona-fide community benefit for the whole of Teton County, Wyoming.
  - b. An application by a government agency, other than an agency or division of Teton County, Wyoming, or an application by an agency or

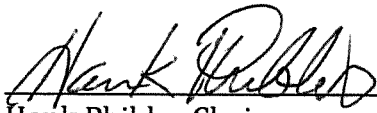
division of Teton County, Wyoming with associated fees in excess of \$6,000.

- c. Permits required as a result of criminal acts perpetrated against an applicant.
  - d. Proposed Land Development Regulations Text Amendments or Zoning Map Amendments when the proposed amendment is in the general public interest rather than proposed for the benefit of a single or restricted class of properties or owners, or proposed for a specific development permit or other land use permit.
  - e. Double permit fees associated with an after the fact permit resulting from an enforcement action pursuant to the Land Development Regulations, where the violation to be remedied with the permit is not the fault of the current property owner. Approval of this waiver results in the current applicant being responsible only for the standard permit fee, not the double fee penalty.
3. The Teton County Planning Director may consider and approve a request for a full or partial waiver of fees, when one of the following criteria is demonstrated and met:
- a. An error by Teton County, Wyoming, staff.
  - b. Duplication of staff effort or where costs are substantially reduced or eliminated.
  - c. Permits or fees required as a result of a government action.
  - d. An application by an agency or division of Teton County, Wyoming with associated fees of \$6,000 or less.
4. Any direct costs incurred by Teton County, Wyoming, are not subject to the above provisions and must be fully reimbursed or paid for directly by the applicant, which may include but is not limited to state and/or federal fees and/or outsourced services or fees, etc.

**FURTHER RESOLVED** that all appropriate action shall be taken in order to officially file and record such Fee Waiver Policy with the Teton County Clerk's Office that will be effective on January 1, 2015.

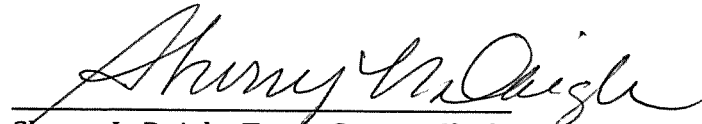
**PASSED, APPROVED AND ADOPTED** by a majority of the votes of the full Board of County Commissioners of Teton County, Wyoming, at a meeting held this 22 day of December, 2014.

**BOARD OF COUNTY COMMISSIONERS  
OF TETON COUNTY, WYOMING**

  
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Hank Phibbs, Chairman



Attest:

  
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Sherry L. Daigle, Teton County Clerk